

**U.S. District Court [LIVE]
Western District of Texas (San Antonio)
CIVIL DOCKET FOR CASE #: 5:14-mc-00942-XR**

Elliott et al v. Mission Trust Services, LLC et al
Assigned to: Judge Xavier Rodriguez
Case in other court: USDC Northern District of Illinois, Chicago Div.,
1:13-cv-07770

Date Filed: 10/24/2014
Date Terminated: 12/01/2014
Nature of Suit: 320 Assault Libel & Slander
Jurisdiction: Federal Question

Cause: Motion to Quash

Plaintiff

Scott A. Elliott

represented by **John H. Scheid**
Murphy & Hourihane LLC
161 N. Clark St., Suite 2550
Chicago, IL 60601
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Ming-Hang Ho

represented by **John H. Scheid**
(See above for address)
LEAD ATTORNEY
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Plaintiff

**The Roxana H. Cupples Revocable Inter
Vivos Trust**

represented by **John H. Scheid**
(See above for address)
LEAD ATTORNEY
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V.

Defendant

Mission Trust Services, LLC

represented by **Courtney R. Baron**
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Defendant

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R.J. Cronkhite
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sarah L. Wixson
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William G. Tishkoff
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

The Corporation Trust Company

represented by **Courtney R. Baron**
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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Douglas R. Kay

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Defendant

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Counter Plaintiff

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V.

Counter Defendant

Scott A. Elliott

represented by **John H. Scheid**

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Counter Defendant

Ming-Hang Ho

represented by **John H. Scheid**

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Counter Defendant

**The Roxana H. Cupples Revocable Inter
Vivos Trust**

represented by **John H. Scheid**

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Movant

Hugh L. Caraway, Jr.

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Movant

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represented by **Michael William O'Donnell**

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LEAD ATTORNEY

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Date Filed	#	Docket Text
10/24/2014	<u>I</u>	THIS CASE HAS BEEN RANDOMLY ASSIGNED TO JUDGE XAVIER RODRIGUEZ. (dtg) (Entered: 10/28/2014)
10/24/2014	<u>I</u>	If ordered by the court, all referrals will be assigned to Magistrate Judge Mathy. (dtg) (Entered: 10/28/2014)
10/24/2014	<u>I</u> <u>1</u>	MOTION to Quash Subpoenas and Motion for Protective Order by Hugh L. Caraway, Jr, Internacional Realty Inc. (Attachments: # <u>1</u> Exhibits to Motion to Quash Subpoenas and Motion for Protective Order, # <u>2</u> Civil Cover Sheet, # <u>3</u> Filing Fee Receipt)(dtg) (Entered: 10/28/2014)
10/24/2014	<u>I</u>	MOTION for Protective Order (Motion is included within Docket Entry #1) by Hugh L. Caraway, Jr., Internacional Realty Inc. (dtg) (Entered: 10/28/2014)
10/28/2014	<u>I</u> <u>2</u>	ORDER – Non–Party Hugh L. Caraway is therefore directed to inform the Court whether he consents to transfer of the motion to the Eastern Division of the Northern District of Illinois. Signed by Judge Xavier Rodriguez. (rg) Modified on 10/30/2014 (wg). (Entered: 10/28/2014)
10/29/2014	<u>I</u> <u>3</u>	Letter to attorney JOHN H. SCHEID regarding Admission to Practice in the Western District of Texas. (dtg) (Entered: 10/29/2014)
10/29/2014	<u>I</u> <u>4</u>	Letter to attorney COURTNEY R. BARON regarding Admission to Practice in the Western District of Texas. (dtg) (Entered: 10/29/2014)
10/29/2014	<u>I</u> <u>5</u>	Letter to attorney DOUGLAS R. KAY regarding Admission to Practice in the Western District of Texas. (dtg) (Entered: 10/29/2014)
10/29/2014	<u>I</u> <u>6</u>	Letter to attorney JAMES DOMINICK ADDUCCI regarding Admission to Practice in the Western District of Texas. (dtg) (Entered: 10/29/2014)
10/29/2014	<u>I</u> <u>7</u>	Letter to attorney KENNETH STEVEN ULRICH regarding Admission to Practice in the Western District of Texas. (dtg) (Entered: 10/29/2014)
10/29/2014	<u>I</u> <u>8</u>	Letter to attorney MARSHALL LEE BLANKENSHIP regarding Admission to Practice in the Western District of Texas. (dtg) (Entered: 10/29/2014)
10/29/2014	<u>I</u> <u>9</u>	Letter to attorney R.J. CRONKHITE regarding Admission to Practice in the Western District of Texas. (dtg) (Entered: 10/29/2014)
10/29/2014	<u>I</u> <u>10</u>	Letter to attorney SARAH L. WIXSON regarding Admission to Practice in the Western District of Texas. (dtg) (Entered: 10/29/2014)
10/29/2014	<u>I</u> <u>11</u>	Letter to attorney WILLIAM G. TISHKOFF regarding Admission to Practice in the Western District of Texas. (dtg) (Entered: 10/29/2014)
10/29/2014	<u>I</u> <u>12</u>	NOTICE of Non–Consent to Transfer by Hugh L. Caraway, Jr, Internacional Realty Inc. (O'Donnell, Michael) (Entered: 10/29/2014)
10/30/2014	<u>I</u>	Text Order REFERRING <u>1</u> Motion to Quash entered by Judge Xavier Rodriguez. This motion is referred to Magistrate Judge Mathy pursuant to Rule 72. (This is a text–only entry generated by the court. There is no document associated with this entry.) (lel) (Entered: 10/30/2014)
10/30/2014	<u>I</u>	Text Order REFERRING Motion for Protective Order entered by Judge Xavier Rodriguez. This motion is referred to Magistrate Judge Mathy pursuant to Rule 72. (This is a text–only entry

		generated by the court. There is no document associated with this entry.) (lcl) (Entered: 10/30/2014)
10/30/2014	<u>11</u>	MOTION REFERRED: referred <u>1</u> MOTION to Quash. Referral Judge: Pamela A. Mathy. (rg) (Entered: 10/30/2014)
10/30/2014	<u>11</u>	MOTION REFERRED: referred MOTION for Protective Order. Referral Judge: Pamela A. Mathy. (rg) (Entered: 10/30/2014)
10/31/2014	<u>11</u> <u>13</u>	Response in Opposition to Motion, filed by Christopher C. Finlay, Mission Trust Services, LLC, re MOTION for Protective Order filed by Movant Hugh L. Caraway, Jr., Movant Internacional Realty Inc., <u>1</u> MOTION to Quash filed by Movant Hugh L. Caraway, Jr., Movant Internacional Realty Inc. (Attachments: # <u>1</u> Proposed Order Proposed Order Denying, # <u>2</u> Exhibit Exhibit A, # <u>3</u> Exhibit Exhibit B, # <u>4</u> Exhibit Exhibit C, # <u>5</u> Exhibit Exhibit D, # <u>6</u> Exhibit Exhibit E, # <u>7</u> Exhibit Exhibit F, # <u>8</u> Exhibit Exhibit G, # <u>9</u> Exhibit Exhibit H, # <u>10</u> Exhibit Exhibit I, # <u>11</u> Exhibit Exhibit J, # <u>12</u> Exhibit Exhibit K)(Old, James) (Entered: 10/31/2014)
10/31/2014	<u>11</u> <u>14</u>	MOTION to Transfer Case by Christopher C. Finlay, Mission Trust Services, LLC. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M)(Old, James) (Entered: 10/31/2014)
11/07/2014	<u>11</u> <u>15</u>	REPLY to Response to Motion, filed by Hugh L. Caraway, Jr, Internacional Realty Inc., re MOTION for Protective Order filed by Movant Hugh L. Caraway, Jr., Movant Internacional Realty Inc., <u>1</u> MOTION to Quash filed by Movant Hugh L. Caraway, Jr., Movant Internacional Realty Inc. (Attachments: # <u>1</u> Affidavit of Lauren Valkenaar, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6)(O'Donnell, Michael) (Entered: 11/07/2014)
11/07/2014	<u>11</u> <u>16</u>	Response in Opposition to Motion, filed by Hugh L. Caraway, Jr, Internacional Realty Inc., re <u>14</u> MOTION to Transfer Case filed by Mission Trust Services, LLC, Defendant Christopher C. Finlay (Attachments: # <u>1</u> Affidavit of Lauren Valkenaar, # <u>2</u> Exhibit 1)(O'Donnell, Michael) (Entered: 11/07/2014)
11/10/2014	<u>11</u> <u>17</u>	REPORT AND RECOMMENDATIONS re <u>1</u> Motion to Quash, filed by Hugh L. Caraway, Jr., Internacional Realty Inc., <u>14</u> Motion to Transfer Case, filed by Mission Trust Services, LLC, Christopher C. Finlay. Signed by Judge Xavier Rodriguez. (rg) (Entered: 11/10/2014)
11/10/2014	<u>11</u> <u>18</u>	ORDERED that this case is RETURNED to the District Judge. Motions No Longer Referred: MOTION for Protective Order, <u>1</u> MOTION to Quash, <u>14</u> MOTION to Transfer Case. Signed by Judge Pamela A. Mathy. (rg) (Entered: 11/10/2014)
11/10/2014	<u>11</u>	Motion No Longer Referred: MOTION for Protective Order. (rg) (Entered: 11/12/2014)
11/12/2014	<u>11</u> <u>19</u>	Certified Mail Receipt of <u>17</u> Report and Recommendations. (rg) (Entered: 11/13/2014)
11/13/2014	<u>11</u> <u>20</u>	MOTION to Appear Pro Hac Vice by James R. Old (<i>William Tishkoff</i>) (Filing fee \$ 100 receipt number 0542-6981098) by on behalf of Christopher C. Finlay, Mission Trust Services, LLC. (Old, James) (Entered: 11/13/2014)
11/13/2014	<u>11</u> <u>21</u>	MOTION to Appear Pro Hac Vice by James R. Old (<i>Sarah Wixson</i>) (Filing fee \$ 100 receipt number 0542-6981118) by on behalf of Christopher C. Finlay, Mission Trust Services, LLC. (Old, James) (Entered: 11/13/2014)
11/14/2014	<u>11</u>	Text Order GRANTING <u>20</u> Motion to Appear Pro Hac Vice. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted permission to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Entered by Judge Xavier Rodriguez. (This is a text-only entry generated by the court. There is no document associated with this entry.) (lcl) (Entered: 11/14/2014)

11/14/2014	<u>21</u>	Text Order GRANTING <u>21</u> Motion to Appear Pro Hac Vice. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted permission to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. entered by Judge Xavier Rodriguez. (This is a text-only entry generated by the court. There is no document associated with this entry.) (lel) (Entered: 11/14/2014)
11/20/2014	<u>22</u>	Certified mail acknowledgment receipt for magistrate report and recommendations re <u>17</u> Report and Recommendations as to Christopher C. Finlay, Michael T. Hosmer, Mission Trust Services, LLC, The Corporation Trust Company. (rf) (Entered: 11/20/2014)
11/21/2014	<u>23</u>	Certified mail acknowledgment receipt for magistrate report and recommendations re <u>17</u> Report and Recommendations as to Christopher C. Finlay, Michael T. Hosmer, Mission Trust Services, LLC, The Corporation Trust Company. (rf) (Entered: 11/21/2014)
11/24/2014	<u>24</u>	OBJECTION to <u>17</u> Report and Recommendations by Hugh L. Caraway, Jr, Internacional Realty Inc... (O'Donnell, Michael) (Entered: 11/24/2014)
11/24/2014	<u>25</u>	Certified mail acknowledgment receipt for magistrate report and recommendations re <u>17</u> Report and Recommendations as to Christopher C. Finlay, Michael T. Hosmer, Mission Trust Services, LLC, The Corporation Trust Company. (rf) (Entered: 11/25/2014)
12/01/2014	<u>26</u>	ORDER ADOPTING REPORT AND RECOMMENDATIONS for <u>17</u> Report and Recommendations; the motion to transfer (docket no. 14) is GRANTED and it is ORDERED that:Non-party Hugh L. Caraway, Jr. and Internacional Realty Incs Motion to Quash Subpoenas and Motion for Protective Order and all matters in this case are TRANSFERRED to the United States District Court for the Northern District of Illinois, Eastern Division, for consideration in Cause No. 13-CV-0770, Scott A. Elliott, Ming-Hang Ho, and The Roxana Cupples Revocable Inter Vivos Trust v. Mission Trust Services, LLC, Christopher C. Finlay, The Corporation Trust Company, and Michael T. Hosmer; Mission Parties Motion to Transfer is DENIED. Signed by Judge Xavier Rodriguez.(rg) (Entered: 12/01/2014)